



DSW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 023971-0310

In re patent application of

**Kenta Kubota**

Serial No.: 10/659,376

Group Art Unit: 3663

Filed: September 11, 2003

Examiner: Tuan C. To

For: Preceding-Vehicle Following Control System

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 7, 2005, Applicant hereby elects the claims of **Group I, claims 1-16**, for prosecution in the subject application. **This election is made with traverse.**

This election is traversed with respect to claim 17, which is simply a claim of alternative scope directed to the same basic invention as claim 1. It is not believed that any additional burden is placed upon the PTO to examine claim 17 along with the elected claims.

Upon allowance of the elected claims, Applicant will be permitted to request rejoinder in accordance with MPEP 821.04 and *In re Ochiai*, 71 F.3d 1565, 37 USPQ2d 1127 (Fed. Cir. 1995) of method claims 18-19.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date: November 7, 2005  
FOLEY & LARDNER LLP  
Customer Number: 22428  
PATENT TRADEMARK OFFICE  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

By 

Richard L. Schwaab  
Registration No. 25,479